

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DUSTIN FOCKLER,)	
Plaintiff,)	
)	
vs.)	C.A. No. 05-123 Erie
)	
UNITED STATES MARSHALS)	
SERVICE)	
Defendant.)	

MOTION FOR EXTENSION OF TIME

NOW COMES, the Plaintiff, Dustin Fockler, appearing pro se, hereby moves this Court for an extension of time to respond to the Defendant's Motion to Dismiss, or other responsive pleading herein.

Plaintiff respectfully moves this Court to grant an extension of time up to, and including, January 15, 2006 in which to file this response.

The granting of this motion would not prejudice any party herein. Plaintiff is proceeding in this matter pro se. He is also incarcerated in the Federal Bureau of Prisons at the Federal Correctional Institution, McKean County, PA. Plaintiff is not a lawyer, nor is he trained in legal procedure, etc. He depends on the assistance of inmate law clerks. In addition, he is dependant on the prison schedule and regime in order to access the law library, in order to conduct legal research and prepare pleadings for filing in this Court.

Defendant needs the additional time to conduct proper reseacrh, prepare and adequate response, and possibly to prepare a Motion to Amend pursuant to Fed.Civ.P. Rule 15.

WHEREFORE, facts and premises considered, the Plaintiff prays that this Court will grant this motion as moved, and give the Plaintiff an extension of time up to, and including, January 15, 2006.

Dated: December 12, 2005

Respectfully submitted

Dustin Fockler

Dustin Fockler

Reg. No. 11376-040

FCI McKean

P.O. Box 8000

Bradford, PA. 16701-0980

PLAINTIFF pro se

CERTIFICATE OF SERVICE

I do hereby certify that on this the 12 day of December, 2005, I placed in the U.S. Mail, first-class postage prepaid, a true and correct copy of the above and foregoing pleading for service to:

Megan E. Farrell, Esq.
Assistant U.S. Attorney
U.S. Courthouse & Post Office
700 Grant Street, Suite 400
Pittsburgh PA 15230

Dustin Fockler

Dustin Fockler